

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

STEVEN SMITH,

Plaintiff,

Case No. 6:16-cv-1875-TC

v.

ORDER

U.S. DEPARTMENT OF
TRANSPORTATION, and U.S.
DEPARTMENT OF JUSTICE,

Defendants.

MCSHANE, Judge:

Magistrate Judge Thomas M. Coffin filed a Findings and Recommendation (ECF No. 32), and the matter is now before this court. *See* 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Plaintiff filed objections to the report. Accordingly, I have reviewed the file of this case *de novo*.

See 28 U.S.C. § 636(b)(1)(c); *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). I find no error and conclude the report is correct.

Magistrate Judge Coffin's Findings and Recommendation (ECF No. 32) is adopted in full. Plaintiff's motion for voluntary dismissal (ECF No. 15) of defendant DOJ is allowed. DOJ's motion for summary judgment (ECF No. 14) is denied as moot. Plaintiff's motion for partial summary judgment (ECF No. 9) is allowed as stated in the Findings and Recommendation. DOT's cross-motion for summary judgment (ECF No. 18) is denied without prejudice. IT IS SO ORDERED.

DATED this 11th day of December, 2017.

/s/ Michael J. McShane
Michael McShane
United States District Judge